

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DAVID W. FORAKER,	§
	§ No. 177, 2013
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 1001018311
	§
Plaintiff Below-	§
Appellee.	§

Submitted: June 27, 2013

Decided: July 9, 2013

ORDER

This 9th day of July 2013, it appears to the Court that, on June 6, 2013, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to diligently prosecute the appeal by not filing his opening brief and appendix. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Carolyn Berger
Justice